

# **Title 38: WATERS AND NAVIGATION**

## **Chapter 3-A: CLIMATE CHANGE**

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**Maine Revised Statutes**  
**Title 38: WATERS AND NAVIGATION**  
**Chapter 3-A: CLIMATE CHANGE**

**§574. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [2003, c. 237, §1 (NEW).]

**1. Greenhouse gas.** "Greenhouse gas" means any chemical or physical substance that is emitted into the air and that the department determines by rule may reasonably be anticipated to cause or contribute to climate change. "Greenhouse gas" includes, but is not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Rules adopted by the department pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2003, c. 237, §1 (NEW) . ]

**2. Sector.** "Sector" means one of the 5 sectors identified in the climate change action plan adopted by the Conference of New England Governors and Eastern Canadian Premiers in August 2001. The 5 sectors are the transportation, industrial, commercial, institutional and residential sectors.

[ 2003, c. 237, §1 (NEW) . ]

SECTION HISTORY

2003, c. 237, §1 (NEW).

**§575. LEAD-BY-EXAMPLE INITIATIVE**

The department shall establish a lead-by-example initiative under which the department shall: [2003, c. 237, §1 (NEW).]

**1. Greenhouse gas emissions inventory for state-owned facilities and state-funded programs.** Create an inventory of greenhouse gas emissions associated with state-owned facilities and state-funded programs and create a plan for reducing those emissions to below 1990 levels by 2010;

[ 2003, c. 237, §1 (NEW) . ]

**2. Carbon emission reduction.** By January 1, 2006, seek to establish carbon emission reduction agreements with at least 50 businesses and nonprofit organizations;

[ 2003, c. 237, §1 (NEW) . ]

**3. New England greenhouse registry.** Participate in a regional effort to develop and adopt a greenhouse gas registry that includes 3rd-party verification; and

[ 2003, c. 237, §1 (NEW) . ]

**4. Statewide greenhouse gas emissions inventory.** Create an annual statewide greenhouse gas emissions inventory.

[ 2003, c. 237, §1 (NEW) . ]

SECTION HISTORY

2003, c. 237, §1 (NEW).

## §576. REDUCTION GOALS

The State's goals for reduction of greenhouse gas emissions within the State are as follows: [ 2003, c. 237, §1 (NEW). ]

**1. Reduction by 2010.** In the short term, reduction to 1990 levels by January 1, 2010;

[ 2003, c. 237, §1 (NEW) . ]

**2. Reduction by 2020.** In the medium term, reduction to 10% below 1990 levels by January 1, 2020; and

[ 2003, c. 237, §1 (NEW) . ]

**3. Long-term reduction.** In the long term, reduction sufficient to eliminate any dangerous threat to the climate. To accomplish this goal, reduction to 75% to 80% below 2003 levels may be required.

[ 2003, c. 237, §1 (NEW) . ]

### SECTION HISTORY

2003, c. 237, §1 (NEW).

## §577. CLIMATE ACTION PLAN

By July 1, 2004, the department, with input from stakeholders, shall adopt a state climate action plan to meet the reduction goals specified in section 576. The action plan must address reduction in each sector in cost-effective ways and must allow sustainably managed forestry, agricultural and other natural resource activities to be used to sequester greenhouse gas emissions. The department shall submit the action plan to the joint standing committee of the Legislature having jurisdiction over natural resources matters. [ 2003, c. 237, §1 (NEW). ]

### SECTION HISTORY

2003, c. 237, §1 (NEW).

## §578. PROGRESS EVALUATION

By January 1, 2006 and by that date every 2 years thereafter, the department shall evaluate the State's progress toward meeting the reduction goals specified in section 576, review the cost-effectiveness of the actions taken toward meeting the reduction goals and shall amend the action plan as necessary to ensure that the State can meet the reduction goals. The department shall submit a report of its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 1, 2016 and by that date every 2 years thereafter. The joint standing committee of the Legislature having jurisdiction over natural resources matters is authorized to report out legislation relating to the evaluation to the second regular session of any Legislature. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may make recommendations to the joint standing committee of the Legislature having jurisdiction over natural resources matters regarding that legislation. Starting no earlier than January 1, 2008, the department may recommend to the joint standing committee of the Legislature having jurisdiction over natural resources matters that the reduction goals specified in section 576 be increased or decreased. [ 2013, c. 415, §5 (AMD). ]

### SECTION HISTORY

2003, c. 237, §1 (NEW). 2005, c. 144, §1 (AMD). 2013, c. 415, §5 (AMD).

## §579. REGIONAL GREENHOUSE GAS INITIATIVE

The department may participate in the regional greenhouse gas initiative under chapter 3-B. The commissioner or the commissioner's designee and the members of the Public Utilities Commission are authorized to act as representatives for the State in the regional organization as defined in section 580-A, subsection 20, may contract with organizations and entities when such arrangements are necessary to efficiently carry out the purposes of this section and may coordinate the State's efforts with other states and jurisdictions participating in that initiative, with respect to: [ 2013, c. 588, Pt. A, §49 (RPR). ]

**1. Regional market.** The design, conduct and supervision of a regional market for carbon dioxide allowances;

[ 2007, c. 317, §16 (NEW) . ]

**2. Additional offset categories.** The establishment and mutual recognition of additional offset categories that recognize the State's unique geography, economy and natural resources; and

[ 2007, c. 317, §16 (NEW) . ]

**3. Ensuring no unfair disadvantage.** Efforts seeking to ensure that electricity generated within participating states and jurisdictions is not unfairly disadvantaged as a result of imports of electricity from nonparticipating states and jurisdictions.

[ 2007, c. 317, §16 (NEW) . ]

### SECTION HISTORY

2005, c. 330, §24 (NEW). 2007, c. 317, §16 (AMD). 2007, c. 608, §3 (AMD). 2013, c. 369, Pt. D, §1 (AMD). 2013, c. 415, §6 (AMD). 2013, c. 588, Pt. A, §49 (AMD).

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